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E-FILED***6/22/07***

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-00013 RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
v.)	PROPOSED ORDER
)	
ANTONIO RODRIGUEZ-REYES,)	
)	
Defendant.)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, June 11, 2007, should be continued to July 23, 2007. The continuance is requested because the defense is awaiting documents from Mr. Rodriguez-Reyes "Central File" maintained by the California Department of Corrections, and has been advised that the documents will be provided shortly. These documents may be relevant to his defense and/or sentencing.

The parties further agree that time should be excluded under the Speedy Trial Act from June 11, 2007, to July 23, 2007, because the defense and the government require time for investigation and preparation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

1 Dated: 6/7/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 6/7/07

/s/
JOSEPH FAZIOLI
Assistant United States Attorney

6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for June 7, 2007, on
8 grounds that investigation by the defense is ongoing.

9 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
10 presently set for June 7, 2007, be continued to July 23, 2007, at 9:00 a.m.

11 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
12 from June 7, 2007, to July 23, 2007, shall be excluded from the period of time within which trial
13 must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

14
15 Dated: 6/22/07

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge